

O 111300Z APR 08  
FM AMEMBASSY PRISTINA  
TO RUEHC/STATE WASHDC IMMEDIATE  
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE PRIORITY  
RUEHNO/USMISSION USNATO PRIORITY  
RUFOADA/JAC MOLESWORTH RAF MOLESWORTH UK PRIORITY  
RUCNDT/USMISSION USUN NEW YORK PRIORITY  
RHFMISS/AFSOUTH NAPLES IT PRIORITY  
RHMFISS/CDR TF FALCON PRIORITY  
RHEFDIA/DIA WASHDC PRIORITY  
RUEKJCS/DoD WASHINGTON DC PRIORITY  
RUEPGEA/CDR650THMIGP SHAPE BE PRIORITY  
RHEHNSC/NSC WASHDC PRIORITY  
RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY  
RUZEJAA/USNIC PRISTINA SR PRIORITY

C O N F I D E N T I A L PRISTINA 000187

SIPDIS

SENSITIVE  
SIPDIS

DEPT FOR DRL, INL, AND EUR/SCE, NSC FOR BRAUN, USUN FOR  
DREW SCHUFLETOWSKI, USOSCE FOR STEVE STEGER

E.O. 12958: DECL: 04/11/2018  
TAGS: [PGOV](#) [KDEM](#) [EAID](#) [KV](#) [UNMIK](#) [YI](#)  
SUBJECT: KOSOVO ASSEMBLY APPROVES NEW CONSTITUTION

Classified By: Charge d'Affaires Tina S. Kaidanow for Reasons 1.4 (b) and (d).

¶1. (C) SUMMARY: The Kosovo Assembly passed its new, fully Ahtisaari-compliant Constitution with 97 votes in favor during an April 9 extraordinary session. Prime Minister Thaci, President Sejdiu, and Constitutional Commission president Hajredin Kuci spoke during the brief session, while Assembly Presidency members voiced their strong support for the document on behalf of their party caucuses at an April 8 Presidency meeting. The Constitution was certified by ICR Pieter Feith, signed by members of the Constitutional Commission during an April 7 ceremony, and will come into force on June 15. END SUMMARY.

¶2. (C) The Kosovo Assembly held an extraordinary session for the Constitution, with 107 of 120 members present. Gorani MP Hajlili and nine of the ten Serb members did not attend the session. Former Returns Minister Grbic, a Serb, attended but was apparently confused by Speaker Krasniqi's decision to hold the vote by acclamation; while Grbic did not stand, he later clarified to the Assembly secretariat counting votes that he supports the Constitution. Three of the five Bosniak members voted in favor. Ashkali MP Sabit Rrahmani, under indictment for fraud and reportedly out of Kosovo, did not attend. Among Albanian MPs, frequent nay-sayer and PDK extremists Nait Hasani and Hydajet Hyseni actually voted in favor.

¶3. (C) In the Turkish community, Minister and Constitutional Commission member Mahir Yagcilar voted yes. Fellow Kosovo Democratic Turkish Party (KDTP) members Enis Kervan and Mufera Sinik insisted on not voting, despite telling us they consider the entire document to be excellent, because Article 5 does not give the Turkish language the status they believe it deserves. Article 5 underwent important changes in direct response to Turkish concerns and now allows official use of Turkish at all levels as provided by law. Unfortunately, Kervan told us that he does not foresee that the law will so provide and said he was under immense pressure from some in his community to vote against the Constitution.

¶4. (SBU) Although caucus leaders did not speak at today's session (in accordance with an agreement to keep the session short and simple), Presidency members Nexhat Daci (LDD), Sabri Hamiti (LDK), Naim Maloku (AAK), Ibrahim Gashi (AKR), and Dzezair Murati (7 plus) all had the opportunity to speak during the April 8 Assembly Presidency meeting and all voiced

strong support for the Constitution.

15. (C) COMMENT: With more than a year of drafting and Commission meetings, thousands of public comments and hundreds of revisions, the Kosovo constitutional process is both authentic in terms of local ownership and fully compliant with Ahtisaari provisions. The document was painstakingly put together with wide representation from all political parties, civil society and other interested local stakeholders. The constitution also has broad legitimacy among Kosovo's population; even normally cynical media commentators have acknowledged that the multiple provisions for minorities are the necessary price for Kosovo's independence. The document's passage should provide further proof to those in the international community who need it that Kosovo remains on a multi-ethnic path, despite the obvious difficulties and continuing provocations from outside and within. END COMMENT.  
KAIDANOW